

106th TN General Assembly

Second Regular Session



Tuesday, January 26, 2010

SENATE

BILLS / RESOLUTIONS

- SR 0184** by *Norris
Memorials, Retirement - Margaret Fleming.
- SR 0185** by *Norris
Memorials, Recognition - City Drug Company of Dyersburg, 125th anniversary -
- SR 0186** by *Norris
Memorials, Death - Laurel Jones Childs -
- *SJR 0714** by Finney
General Assembly, Studies - Creates special joint committee to study tire disposal.
- SJR 0728** by *Finney L
Memorials, Death - Henry Spence Dupree, Jr. -
- *SB 2819** by *Finney L
Teachers, Principals and School Personnel - As introduced, requires director of schools to submit salary ratings to the commissioner of education by November 1 rather than December 1 of the school year for which the personnel are elected. - Amends TCA Title 49.
- *SB 2820** by *Finney L
Game and Fish Laws - As introduced, extends to nonresidents between 13 and 15 years of age the privilege to fish without a license during one week of the year in same manner as resident junior sportsmen under present law. - Amends TCA Title 55; Title 69 and Title 70.
- *SB 2821** by *Finney L
Bail, Bail Bonds - As introduced, extends period for curing failure to file certificate of compliance with continuing education requirements from 60 days to 90 days. - Amends TCA Title 40, Chapter 11 and Title 67, Chapter 4, Part 8.
- *SB 2822** by *Finney L
Elderly Persons - As introduced, modifies nursing facility diversion requirements at time of nursing home admission concerning home and community based services. - Amends TCA Title 4; Title 33; Title 56; Title 68 and Title 71.
- *SB 2823** by *Finney L, Berke, Stewart
Elderly Persons - As introduced, requires certain reports to and by the select committee on long-term care concerning recent long-term care reform legislation. - Amends TCA Title 68 and Title 71.
- SB 2824** by *Johnson, Southerland, Stewart (*HB 2906 by *Harwell, Fitzhugh)
Taxes, Exemption and Credits - As introduced, under certain conditions, allows a job tax credit to be applied against the franchise and excise liability of a small business that fills at least one new full-time position and meets the required investment in a tax year. - Amends TCA Title 67, Chapter 4, Part 21.

(Senate Bills cont.)

***SB 2825 by *Ford, O.**

State Inmates - As introduced, requires the commissioner of correction to report to the select oversight committee on corrections concerning a study of inmates incarcerated by the department who are nonviolent offenders and age 65 and older. - Amends TCA Title 41.

***SB 2826 by *Ford, O.**

State Inmates - As introduced, requires the comptroller to study the number of state inmates who have been incarcerated for crimes for which they have not been convicted. - Amends TCA Title 8 and Title 41.

***SB 2827 by *Ford, O.**

State Inmates - As introduced, requires the comptroller to study the number of inmates in county jails who have been incarcerated for offenses for which they have not been convicted. - Amends TCA Title 8 and Title 41.

***SB 2828 by *Berke**

Environment and Conservation, Department of - As introduced, requires permit applications, notices of violations, proposed abatements, director's and commissioner's orders, and all other enforcement actions and outcomes related to coal surface mining be posted on the department's web site. - Amends TCA Title 59, Chapter 8.

***SB 2829 by *Berke**

Mining and Quarrying - As introduced, expands provisions in land reforestation plans submitted in application for coal surface mining permits to include the same percentage of hardwood trees present in undisturbed areas within the same locality. - Amends TCA Title 59, Chapter 8, Part 3; Title 59, Chapter 8, Part 4 and Title 69, Chapter 3, Part 1.

SB 2830 by *Berke (*HB 2825 by *Cobb T)

Taxes, Sales - As introduced, changes the day on which the sales tax holiday begins from the first Friday of August to the third Friday of July. - Amends TCA Title 67, Chapter 6, Part 3.

***SB 2831 by *Berke**

Mining and Quarrying - As introduced, enacts the "Property Rights Protection Act." - Amends TCA Title 59, Chapter 8, Part 4 and Title 69, Chapter 3, Part 1.

SB 2832 by *Berke (*HB 2778 by *Hackworth)

Abuse - As introduced, authorizes concerned family members to obtain court order to intercede when an adult is subject to abuse, neglect, or exploitation. - Amends TCA Title 71, Chapter 6, Part 1.

SB 2833 by *Berke (*HB 2808 by *McDonald)

Health Care - As introduced, expands scope of medical services for certain individuals who are eligible for medical assistance to include services provided by nonprofits created specifically to care for related individuals with disabilities. - Amends TCA Section 71-5-107.

COMMITTEE REPORTS

COMMERCE, LABOR & AGRICULTURE – SHR #12 – 1:00 p.m. –

Rec. for pass. if am., ref to Calendar – SB 1899.

Rec. for pass. if am., ref to FW&M – SB 670.

Action def. – SB 1545.

JUDICIARY – SHR #12 – 3:00 p.m. –

Action def. – SB's 844, 1122, 1161.

TRANSPORTATION – SHR #12 – 11:30 a.m. –

Rec. for pass. if am., ref to Calendar – SB 2101.

CALENDARS FOR WEDNESDAY, JANUARY 27, 2010

Consent

1. SB 2379 by *Stewart (HB 2409 by *Harmon)

Tracy City - As introduced, subject to local approval, sets the city election to coincide with the general state election beginning in November 2014; increases terms of office for mayor and aldermen from two to four years. - Amends Chapter 158 of the Private Acts of 1945; as amended.

Regular

1. *SJR 0030 by *Jackson, Woodson, Berke, Finney L, Gresham, Yager

Constitutional Amendments - As introduced, proposes an election of the people for the purpose of determining whether Article XI, Section 13 of the Constitution of Tennessee should be amended to establish the right to hunt and fish, subject to reasonable regulations and restrictions prescribed by law. -

2. SB 2378 by *Bunch (HB 2411 by *Watson)

Polk County - As introduced, subject to local approval, revises procedure for determining the tax on the privilege of participating in an amusement, to be determined annually by the county legislative body in accordance with established criteria, rather than imposing a set fee. - Amends Chapter 2 of the Private Acts of 1981; as amended.

Message

1. *HB 2376 by *Shepard, Roach, Ford, Campfield, Bell, Lollar, McCormick, Moore, Montgomery, Weaver, Rich, Evans, Carr, Dean, Bass (SB 2334 by *Jackson)

Firearms and Ammunition - As introduced, modifies the methods for disposing of certain confiscated weapons. - Amends TCA Section 39-17-1317.

SENATE CONVENES AT 8:30 A.M., WEDNESDAY, JANUARY 27, 2010

H O U S E

BILLS / RESOLUTIONS

***HB 2891 by *Turner M**

Sexual Offenders - As introduced, creates a Class A misdemeanor offense for any person to rent or lease any primary or secondary residence or any other living accommodation to a tenant who is a sexual offender or a violent sexual offender and whose victim was a minor if such residence or living accommodation is within 1,000 feet of a school. - Amends TCA Title 40, Chapter 39.

***HB 2892 by *Turner M**

Historical Sites and Preservation - As introduced, authorizes and encourages counties and municipalities to formulate programs to provide grants to owner/occupants to rehabilitate residential homes located in historic areas, districts, and zones from funds available to the county or municipality. - Amends TCA Title 13.

***HB 2893 by *Turner M**

Planning, Public - As introduced, adds to the purposes of zoning regulations a requirement to insure that a planned community does not violate any of the covenants as presented and approved by a planning commission. - Amends TCA Title 13.

HB 2894 by *Moore, Maggart (*SB 2814 by *Black)

Utilities, Utility Districts - As introduced, authorizes utility districts to enforce payment of garbage collection and disposal service fees by filing a lien. - Amends TCA Title 6; Title 7 and Title 68, Chapter 221.

(House Bills cont.)

- *HB 2895** by *Naifeh, DeBerry L, Shepard, Dean, Maddox, Camper, Shaw, Turner J, Richardson, Armstrong, Tidwell, Barker, Fitzhugh, Jones U, DeBerry J, Ford, Hill, Kernell, Todd, Lollar, Montgomery, Coley, Faulkner, McManus, Eldridge, Miller L, Hardaway, Towns, Cooper B, McDaniel, Borchert, Sargent, Roach, Harrison
Physicians and Surgeons - As introduced, authorizes the board of medical examiners to issue a St. Jude Children's Research Hospital Global Collaboration license. - Amends TCA Title 63, Chapter 6, Part 2.
- *HB 2896** by *Harmon
Special License Plates - As introduced, authorizes issuance of new specialty earmarked plate for Tennessee Cave Salamander; proceeds for such plate allocated to wildlife resources fund. - Amends TCA Title 55, Chapter 4.
- *HB 2897** by *Armstrong, Hill, Hensley, Campfield, Rich, Favors, Odom, Fitzhugh, Winningham, Harwell, Montgomery, Richardson, Camper, DeBerry L, Swafford, Williams
Education, Higher - As introduced, requires institutions of higher education within the University of Tennessee and the Tennessee Board of Regents systems to accept courses completed within 20 years for transfer, credit, graduation, or matriculation. - Amends TCA Title 49, Chapter 7, Part 1.
- *HB 2898** by *Armstrong, Hensley, Favors
Hospitals and Health Care Facilities - As introduced, adds funding certain staffing requirements as permissible uses of the trauma center fund. - Amends TCA Title 55 and Title 68.
- *HB 2899** by *Dean
Property - As introduced, enables a municipality to institute a residential rental inspection program to prevent deterioration. - Amends TCA Title 13, Chapter 21, Part 3.
- *HB 2900** by *Dean
Water Authorities - As introduced, revises manner in which members are appointed to the board of a water and wastewater treatment authority. - Amends TCA Title 5, Chapter 6; Title 7, Chapter 82 and Title 68, Chapter 221.
- *HB 2901** by *Shepard
Taxes, Sales - As introduced, exempts diabetic testing equipment and supplies from sales tax. - Amends TCA Title 53, Chapter 10; Title 63, Chapter 10 and Title 67.
- HB 2902** by *Shepard (*SB 2629 by *Overbey)
Pharmacy, Pharmacists - As introduced, requires manufacturers, wholesalers, and distributors of prescription drugs and medicines to have their licenses available on the premises and they shall be responsible for displaying the license on request. - Amends TCA Title 63, Chapter 10, Parts 2 and 3.
- HB 2903** by *Shepard (*SB 2720 by *Overbey)
Physicians and Surgeons - As introduced, adds the term "Level III Office based surgery" to statute governing office-based surgery. - Amends TCA Title 63, Chapter 6.
- *HB 2904** by *Lollar, Curtiss
Insurance, Health, Accident - As introduced, decreases from five to three years the length of time a small employer must purchase coverage through a health group cooperative. - Amends TCA Title 56, Chapter 7, Part 22.
- *HB 2905** by *Sargent, Rowland
Unemployment Compensation - As introduced, specifies that when an employer provides certain evidence showing four or more complaints from customers concerning the employee's work performance, a discharge by an employer shall be deemed to be a discharge for misconduct, and thus, disqualify the claimant from unemployment benefits. - Amends TCA Title 4, Chapter 5 and Title 50, Chapter 7.
- *HB 2906** by *Harwell, Fitzhugh (SB 2824 by *Johnson, Southerland, Stewart)
Taxes, Exemption and Credits - As introduced, under certain conditions, allows a job tax credit to be applied against the franchise and excise liability of a small business that fills at least one new full-time position and meets the required investment in a tax year. - Amends TCA Title 67, Chapter 4, Part 21.

COMMITTEE REPORTS

JUDICIARY – HHR #31 – 1:30 p.m. –

Action def. – HB's 1267, 1363.

STATE & LOCAL GOVERNMENT – HHR #16 – 12:00 noon –

Taken off notice – HB 38, HJR 5.

(Committee Reports cont.)

TRANSPORTATION – HHR #16 – 3:00 p.m. –

Rec. for pass. if am., ref to C&R – HB 1321.

SUBCOMMITTEE REPORTS

Civil Practice – HHR #31 – 12:00 noon –

Rec. for pass. – HB 699.

Higher Education – HHR #29 – 8:30 a.m. –

Taken off notice – HB's 934, 1851.

Action def. – HB's 43, 58.

HOUSE CONVENES AT 2:00 P.M., WEDNESDAY, JANUARY 27, 2010